

FILED

DEC 2 1993

FRED DeVESA
ATTORNEY GENERAL OF NEW JERSEY

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

BY: August T. Lembo
Deputy Attorney General
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
(201) 648-3070

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF CHIROPRACTIC
EXAMINERS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
BOHDON PITIO, D.C.	:	
	:	CONSENT ORDER
TO PRACTICE CHIROPRACTIC IN THE	:	
STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Chiropractic Examiners ("Board") upon the application of Fred DeVesa, Attorney General of New Jersey, August T. Lembo, Deputy Attorney General appearing, for a temporary suspension of the license of Bohdon Pitio, D.C., (hereinafter "Dr. Pitio" or "Respondent"), and Andrey V. Zelyk, Esq., appearing on behalf of Dr. Pitio. The application was based upon information concerning the alleged involvement of Dr. Pitio in the possession and use of a controlled dangerous substance, specifically heroin, and the

alleged involvement of Dr. Pitio in the illegal possession and distribution of weapons, specifically firearms.

The parties being desirous of taking an interim step prior to resolving this matter, and without the Board being precluded in any way from taking any action it may deem necessary pursuant to its statutory authority to protect the public health, safety and welfare, and without Respondent acknowledging any violation of law, and it further appearing that Respondent has read the terms of this order, understands their meaning, and consents to be bound by same, and it further appearing that the Board finds that the within Order, as an interim step, is adequately protective of the public health, safety and welfare, and it further appearing that good cause exists for the entry of the within Order:

IT IS THEREFORE, ON THIS 2 DAY OF DECEMBER, 1993
ORDERED THAT:

1. Dr. Pitio shall not engage in the practice of chiropractic in the State of New Jersey, nor practice chiropractic upon any person in the State of New Jersey, unless and until he has given the Board of Chiropractic Examiners 15 days notice in writing of his intention to recommence the practice of chiropractic. Such notice shall be delivered in person to the Board at 124 Halsey Street, 6th Floor, Newark, New Jersey 07102 or by certified mail, return receipt requested, to

the Executive Director of the Board with the date of receipt by the Board to be deemed the date of notice.

2. Respondent shall immediately submit to a physical examination by an appropriate physician, subject to the approval of the Board at the expense of Respondent, and to a psychiatric or psychological evaluation by a mental health care practitioner, chosen by and subject to the approval of the Board at the expense of Respondent. Respondent shall immediately advise the Executive Director of the Board of the scheduled date for examination or examinations and shall immediately advise the Executive Director when that examination or examinations have been completed. The report or reports shall include advice to the Board as to whether Respondent poses a danger to the public's health, safety and welfare.

3. Any failure to comply with the provisions of this consent order shall be grounds for the Attorney General to apply for a summary hearing before the Board or any three members of this Board as the President may designate for this purpose on five days notice to Respondent or to his attorney. The proof at such hearing shall be limited to the issue of whether this consent order has been violated and any evidence in mitigation of sanction. Upon proof by a preponderance of the evidence of a material violation of this consent order, the Board members hearing the matter may summarily suspend or limit Respondent's

license to practice chiropractic pending a review by the full Board.

4. The Board and Respondent shall agree to act as expeditiously as reasonably possible to carry out the physical and psychological evaluation and the Board's review thereof.

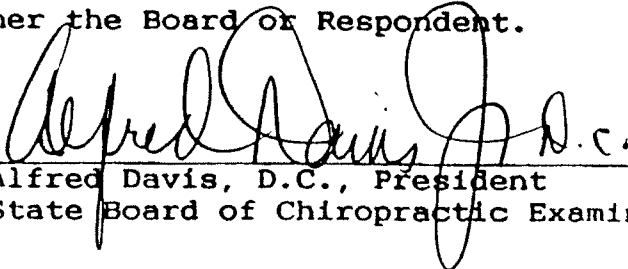
5. Respondent shall provide appropriate releases to any and all parties or programs in which Respondent has participated or shall participate for purposes of drug counselling, as may be required by the Board, in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.

6. All costs associated with the requirements imposed Respondent by this Order, including but not limited to the evaluations, as outlined herein, shall be paid directly by the Respondent.


7. A subpoena dated September 20, 1993, and previously issued by August T. Lembo, Deputy Attorney General, shall be deemed served upon Respondent. The return date of said subpoena shall be scheduled on further reasonable notice to Respondent or to his attorney.

8. Nothing in this consent order shall be interpreted to prevent the Board from taking any action it may otherwise have the authority to take pursuant to law, including following normal procedures to take disciplinary action pursuant to N.J.S.A. 45:1-

21 et seq. In addition, the results of the psychological evaluation, including but not limited to any report that the evaluator does not have sufficient information upon which to make a recommendation to the Board, shall not be dispositive but may be used in evidence by either the Board or Respondent.


Alfred Davis, D.C., President
State Board of Chiropractic Examiners

I have read the within Consent Order and agree to be bound by its terms. I consent to its entry by the State Board of Chiropractic Examiners.


Bohdon Pitio, D.C.

This Order is consented to as to form and entry.


BY: Andrey V. Zielyk, Esq.
Attorney for Respondent

FILED

JUL 5 1995

At 8:30 M
WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT

for

District of New JerseyDocket No. 93-7142P-01U.S.A. vs. Bohdan Pitio

Petition for Action on Conditions of Pretrial Release

COMES NOW Leslie Golden, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant, Bohdan Pitio, who was placed under pretrial release supervision by the Honorable Joel A. Pisano, sitting in the court at Newark, New Jersey, on the 15th date of September, 1993 under the following conditions:

1. \$50,000 bond secured by property of mother;
2. Pretrial Services supervision;
3. Drug testing/treatment as deemed necessary;
4. Surrender of passport;
5. Daily curfew beginning 9:00 P.M. until start of workday in A.M.

On May 13, 1995, the defendant's conditions of release were amended as he was arrested on April 26, 1995 and charged with Possession of Controlled Dangerous Substance (Heroin) and Possession of a Hypodermic Needle. Conditions were amended as follows:

1. The defendant to submit to drug treatment as directed by Pretrial Services.
2. The defendant shall remain under house arrest with 24 hour electronic monitor with only exception for employment and treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

The defendant was arrested on July 2, 1995 at his mother's home in Glen Spey, New York and charged with Manufacturing and Possession of Explosives. According to New York State Trooper Coyne, the defendant blew out a window and started a fire in his mother's garage when fireworks that he was manufacturing exploded. He is presently in the custody of the New York State Police Department.

PRAYING THAT THE COURT WILL ORDER

That a warrant be issued for the defendant's arrest to be lodged as a detainer with New York Authorities.

ORDER OF THE COURT

Considered and ordered this 3rd day
of July, 1995, and ordered filed
and made a part of the records in the above
case.


U.S. District Court Judge/Magistrate

USMD

Respectfully,

LMG

Leslie M. Golden

U.S. Pretrial Services Officer

Place Newark, New JerseyDate July 3, 1995

PS 10
(8/88)

United States District Court

for

Newark/New Jersey

U.S.A. vs Bohdan Pitio

Docket No. 93-7142P-01

TO:¹ United States Marshal or any Authorized Officer

WARRANT FOR ARREST OF DEFENDANT

You are hereby commanded to arrest the within-named defendant and bring him or her, forthwith before the United States District Court to answer charges that he or she violated the conditions of his or her pretrial release imposed by the court.

NAME OF DEFENDANT

Bohdan Pitio

SEX

Male

RACE

White

AGE

37

ADDRESS (STREET, CITY, STATE)

7 Taras Scheuchenko Rd Glen Spey NY 12737

TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE)

United States District Court Newark NJ

CLERK

WILLIAM T. WALSH
 Newark/New Jersey

(BY) DEPUTY CLERK



DATE

07/03/95

RETURN

Warrant received and executed

DATE RECEIVED

DATE EXECUTED

EXECUTING AGENCY (NAME AND ADDRESS)

NAME

(BY)

DATE

¹Insert designation of officer to whom the warrant is issued, e.g., "any United States Marshal or any other authorized officer;" or "United States Marshal for _____ District of _____;" or "any United States Marshal;" or "any Special Agent of the Federal Bureau of Investigation;" or "any United States Marshal or any Special Agent of the Federal Bureau of Investigation;" or "any agent of the Alcohol Tax Unit."